



The Docket

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Dean O'Brien Focuses on the Future

by Kathy Yesenko
First in a Series

An important part of the first year law school experience at Villanova was having Dean O'Brien as torts professor. Dean O'Brien taught the torts course, both sections, for the last five years, but is now focusing his efforts on administration of the law school.

Why has the Dean opted out of the classroom? "The ultimate reason," says Dean O'Brien, "is that this year I will devote a substantial amount of time to planning for the next ten years." The Dean says that extensive planning is necessary now because there are many "obstacles, serious and menacing, which must be overcome."

The Docket will outline what these problems are in a continuing series of interviews with Dean O'Brien in upcoming issues of The Docket.

Essentially, Dean O'Brien sees the problem as this: the probable impact of birth rates, the geographic shift in population, and the lessening of public interest in higher education will have a pro-

found effect upon the future of Villanova University and its law school.

A recent article by Joanne Omang in the *Philadelphia Inquirer* (Sunday, Sept. 9, 1979, Education Section, page 1), entitled "Education: Pupils are Fewer, Problems Aren't," detailed the problems facing educators today. Although the education in-

dustry has been spending more money, using more facilities, and launching more programs than ever before, it is serving fewer students than at any time since 1968. The baby boom is over, but this does not necessarily mean "less crowded classrooms, richer curricula and glossier school buildings," writes Omang.

(Continued on page 8)

THE DOCKET

Vol. XVII, No. 1

The Villanova Law School

September 25, 1979

Honor Code 'Altered'

by Tish Dugan

The 1979-80 Edition of the Student Handbook was distributed at registration with very little fanfare, despite the fact that it contains a tactically added one and one-half sentence which appears to radically change the role of the Honor Board at Villanova Law School. In fact, it was not until a meeting of Student Faculty Committee on September 6 that the chairman of the Honor Board, John Ford, himself noticed something different in the Bulletin's description of the Honor Board.

Last year's Bulletin stated that the Honor Board had jurisdiction over violations of the Code of Conduct and that the Faculty had jurisdiction "over all other violations by students of appropriate professional behavior." This year's Bulletin proclaims that the Administration and Faculty "retain jurisdiction over all student conduct which fails to meet standards of academic and professional behavior, whether such conduct constitutes a violation of the Honor Code or not."

The new Bulletin further asserts: "The Administration and Faculty may exercise such jurisdiction originally or after the Honor Board has acted."

Associate Dean Gerald Abraham who was responsible for

the literal change in the Bulletin claims that the additions to the write-up were not meant to change the role of the Honor Board but to clarify it. In a recent interview Abraham stated, "The function of the Honor Board will be the same. The Honor Board will get every case of unfair academic advantage that comes to us. The policy is still the same; nothing will change."

It was decided last spring by the faculty that new wording would be implemented in this year's description of the Honor Board. This decision came on the heels of the three notorious plagiarism cases that plagued Villanova Law School last semester. Of the three students called before the Honor Board to answer allegations of unfair academic advantage through plagiarism, two were found to have violated the Code and were sanctioned by the Faculty.

The third student was exonerated by the board and so, under last year's description, the student never had to face any action by the faculty as a whole. (The teacher who brought the charge against the student failed the student in the course, subsequent to the Honor Board's finding of fact in the case).

Abraham adamantly points out that the change in wording was not to the code of conduct, but to the Introduction to the code. He likened it to the many other changes that occur each year in the Bulletin but was unable at the time to point out any other such specific changes.

John Ford when questioned confirmed the fact that the Honor Board had not been consulted or notified as to the change of wording describing the Board. Ford feels that the role of the Board has not changed despite the new wording. Many students disagree. Another member of the Board, who wished to remain unidentified, feels the change has left the board with only one definite role — babysitting exams. This member of the board had never considered not running for reelection this year but this recent controversy has caused reconsideration.

Dean Abraham mentioned that in a few weeks a faculty committee would be appointed to look into the Honor Code and make recommendations on changing the code and establishing procedure. Abraham had nothing more definite to say about this committee except that he hoped students would be on the committee. If there were none appointed, he felt sure at least the students on the Honor Board would have some sort of input to the committee.



Photo by Eric Brunning

First Year Class Bigger and Better

by Kate Harper

Does the hall outside room 29 seem a little more crowded than last year (is it possible)? Can the steps to the cafeteria be more jammed this year at noon than they were last year? You better believe it.

The Class of 1982 is here and it numbers more than 250 students, with enrollment up a dozen or so over the average Villanova first year class of 230. There are 251 new students, two students returning to VLS as first year students and three students involved in a joint degree program from Hahnemann Medical College.

Admissions Director Sandra Moore confirmed that the first year class is larger this year than last year. The reason is that the Law School accepted "slightly more than we usually do," she said, because the law school generally accepts a few students from the waiting list, but fewer than expected turned down the invitation to matriculate.

Villanova is bucking a national trend toward a declining number of law school applicants as well. Nationally, the number of students applying to law schools dropped "by about 16 percent," according to Moore, "but Villanova applications were up 8 percent."

What's the reason for that? "I think it's the fact that we're getting a growing name — our placement record is so good and our 'bar pass' record is so good," Moore said. (The VLS placement record is well above the national average).

The first year class is a diversified lot. More than 100 colleges and universities are represented and students hail from two dozen different states.

The largest contingent comes from the University of Pennsylvania, followed closely by a sizable group from Villanova's undergraduate program. There are 23 former Penn students and 22 Villanova University alumni. Eleven students are from nearby St. Joseph's University and there are nine from Franklin and Marshall.

The state of Pennsylvania contributed more than half of the class, with 34 New Jerseyans, 30 New Yorkers and nine each from Delaware and Massachusetts making up the largest groups by state. Connecticut sent seven students; Maryland, three.

Florida, Illinois, Michigan, New Hampshire and Rhode Island are home for ten members of the new class.

With 162 male students and 89 female students, the ratio of men to women is approximately 65 percent to 35 percent.

The overwhelming majority of the entering class is between the ages of 20 and 24, but ten percent is older than that but under 30, and nearly four percent is older than that.

Fourteen members of the class have advanced degrees — and two first year students already have a doctorate. The undergraduate majors varied from "Motel Administration to Latin to Spanish, but fully one quarter of the class were Government or Political

Science majors. History, English, Psychology, Economics, Accounting and Sociology were also popular undergraduate studies.

The size of the class has not caused too many problems, yet, according to Miriam McFadden, the registrar, there were enough lockers and enough chairs. More books had to be ordered and there were some delays, there, she said.

As the class passes into the less structured curriculum, however, other problems may appear. Seminar classes, for example, are limited to 15 students. An extra two dozen students, not noticeable as 12 extra people in each first year section, will be very noticeable at seminar registration time in their second and third years. "We may have to offer more (seminars)," McFadden said.

Accepting more students was "certainly not a question of lowering our standards," Moore said. The average grade point average for the Class of 1982 is 3.4, Moore said, and the average LSAT test score is 594, with the median LSAT score somewhat higher at 602.

Sandy Moore also said there was no truth to the rumor that the law school intended to flunk out a number of first year students to reduce the size of the class.

"That's the classic student rumor. It's simply not true, but we simply can't convince the students," Moore said she has been approached by a number of worried first year students about the rumor and has done her best to "reassure them."

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SEEKING LITIGATION POSITIONS

by William R. Robie
Counsel to the Associate
Attorney General
for Attorney Personnel
U.S. Department of Justice

Law students who have an interest in pursuing a career in litigation after graduation from law school should begin to develop their contacts with an interest in litigation while they are still in law school. In particular, they should participate actively in voluntary moot court competitions, in legal clinics, in civil and criminal procedure, trial practice, and appellate practice courses, and in extracurricular activities which will provide them with exposure to the various elements of the litigation process. These elements include pre-trial aspects (e.g., discovery, witness preparation, and depositions), trial aspects (e.g., examination and cross-examination of witnesses, opening statements, and closing arguments), and pre-trial, trial, and post-trial motions, and trial and appellate briefs. Obviously, work on a part-time or summer basis during law school with legal employers who participate actively in litigation work will be a useful credential for law students interested in litigation opportunities after graduation. Legal clinics, public defender and local prosecutor offices, U.S. Attorney and Federal Public Defender, and private law firms specializing in litigation would all provide valuable experience for this purpose.

Opportunities for litigation vary considerably from the public sector to the private sector. A law student interested in working in a private law firm should expect to spend at least several years writing briefs, attending depositions and summarizing their results, and carrying on other activities in direct support of actual litigation (including arguing motions) before being presented with the opportunity to handle a major case entirely on his or her own without another senior attorney having the major responsibility for the case. Private firms, however, have considerably

greater resources to support litigation and provide the attorney with an opportunity to gradually work into the litigation process. As a result of this longer range training and apprenticeship program, private firms tend to place greater emphasis on class standing and law review participation than on other aspects of a law student's experience with regard to litigation. This emphasis allows private firms to take a law student with a highly qualified academic and writing background and develop them into well-prepared litigators over a period of several years.

Public sector litigation employers place some premium on experience in the litigation process, primarily because public sector employers do not have the ability to hire new lawyers when the caseload increases because of budget and personnel ceiling constraints. As a result, while public sector employers also place heavy emphasis on academic credentials and seek talented law review participants as does the private sector, demonstrated interest and participation in litigation-related law school courses and activities and job-related experience in the litigation sphere are very helpful qualifications for law students interested in pursuing careers in the public service. Because public sector litigators usually must carry heavier caseloads at an earlier time than do private sector litigators, the need for a background in the litigation process becomes more essential because of this comparatively heavy initial responsibility that public sector litigators must assume.

Litigation is often regarded as the "creme de la creme" of the legal profession. Those law students who can identify this particular aspect of the profession as the one they wish to pursue should concentrate on a solid academic background in law school and should seek involvement in litigation-oriented courses, extracurricular activities, and job experiences that will prepare them for job opportunities in both the private law firm and the public sector law office.

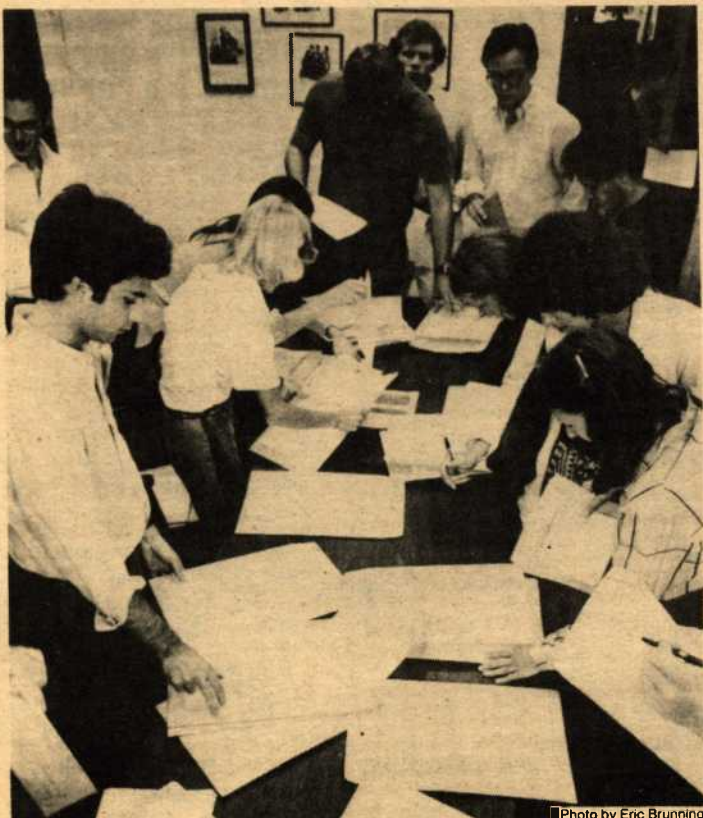


Photo by Eric Brunning
The Rush is on! Second and third year students are busy filing resumes in search of jobs.

New Employment Stats

A Comparison of Percentages in Employment Categories:
Villanova Law, Northeast Region and the Nation.

Employment Categories	Villanova	Northeast	Nation
Private	49.7	47.5	53.0
Government	12	18.7	15.5
Business	15.3	10.2	10.6
Judicial Clerkships	15.3	11.5	8.9
Public Service/Interest	4.3	6.8	5.9
Academic	2	3.5	3.9
Military	1	1.2	1.9
Other	0.4	0.6	0.7

Villanova Law students traditionally have surpassed both Northeast and National percentage rates in the business and judicial clerkships categories. The prestige inherent in a close personal internship with a judge and the corporate opportunity in business make these employers obviously attractive. Villanova law students are more successful in obtaining these kinds of employment than most schools in the Northeast or in the nation in general.

Northeast and National statistics are based upon results of reports filed by 150 of 167 ABA approved law schools with the National Association of Law Placement for its June 1979 "Class of 1978" Report.

Villanova statistics are based upon the reported employment of 183 students from a class of 205. Of the remaining 22, seven were employed but did not identify employment category, five were not seeking employment, four did not reply and six were still seeking employment at the time the report was filed.

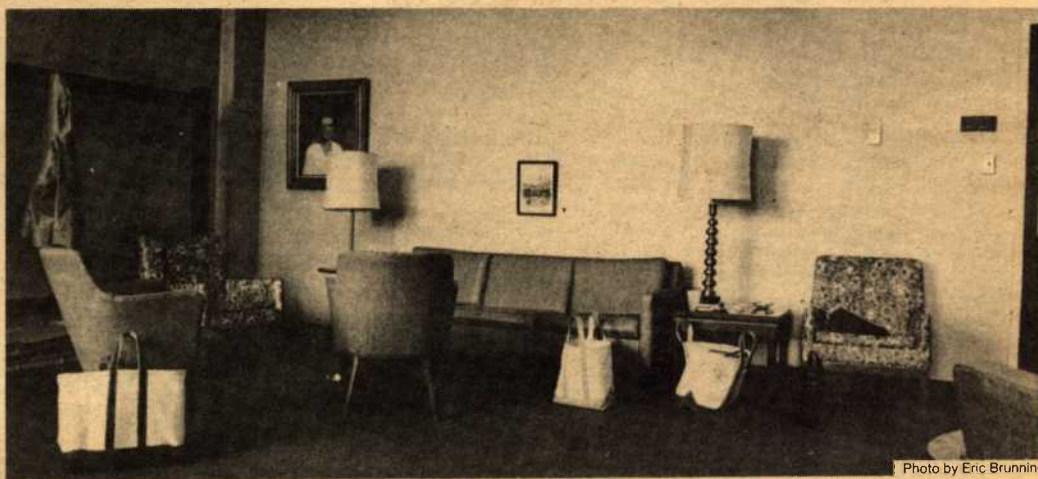


Photo by Eric Brunning

Wanted! This is all that's left of the furniture in the "People's Lounge" after thieves made off with a couch, a coffee table, and wall hangings. The theft took place during the weekend of September 7th and any information concerning it should be passed on to Mrs. Murphy. The lounge was already plagued by one empty corner as a result of Professor Taggart's "borrowing" of the student refrigerator for the faculty this summer. Although we are already well into September, the refrigerator still has not been returned. Another blow to students trying to save a little by brown bagging it.

NEW YORK, NEW YORK!

The New York marketplace represents a challenge for law students. Therefore, the Law School has made New York a "Target City" for placement efforts this fall.

The first annual MANHATTAN INTERVIEW DAY was planned for the Williams Club, 24 E. 39th Street, New York City on Wednesday, September 26th.

Sponsored by the Law School, an interview day provides an opportunity for New York-area employers to interview on their home turf and for second and third year Villanova law students to interview a large number of NYC employers on one day.

Students who are firmly committed to the practice of law in the New York area were asked to provide their own transportation to the city for interviews. Prescreening by employers is permitted. Interview schedules for each employer were prepared by the Placement Office from the lists of selected students, as is done for on-campus interviews.

Following the day-long event, students and employers were invited to join the Dean, Faculty, and Law Alumni for a New York-Area Alumni Reception from 4:30-7:00 p.m. at the Williams Club.

A list of VLS cars and drivers going to New York on Tuesday and Wednesday, will be kept on the Placement Office Board. Please post your name if you are driving.

An AMTRAK schedule is posted on the Placement Board. It is a ten minute walk from Penn Station to the Williams Club.

ANNOUNCEMENTS

Yearbook Pictures

Third year students sign-up now in the Administration Office. Pictures will be taken October 1, 2, and 3 in Room 1. Sitting Fee: \$3.

Used Book Sale

Students can pick up unsold books and money on Friday, September 28 in Room 1.

Exercise Class

Every Wednesday, 3 to 4, Student Lounge. For more info, contact Georgia Farber.

Corporation Program

Attorneys representing about 30 major corporations will take part in a special program for law students interested in learning about what a corporate general counsel's job is all about. The program will be held Saturday morning, October 28, 1979, at the University of Pennsylvania Law School. For more information, contact the Placement Office.

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FACULTY-STUDENT TOPIC

ANONYMOUS GRADING RECONSIDERED

by Kate Harper

A rose is a rose is a rose, but is one system of "anonymous grading" the same as any other? At an open meeting on October 9, at 3 p.m. in Room 29, the VLS Student/Faculty Committee will discuss that question and hear comments on the current system and proposed changes from the floor.

The current system of grading at Villanova is a form of anonymous grading. Students take exams identified only by their anonymous identification numbers (and possibly distinctive handwriting or vocabulary). The professors grade the blue books and then receive a list of names and numbers from the registrar which allow them (if they so desire) to match up the numbers with the faces.

Some professors, according to Prof. Leonard Packel, a member of the committee, use the "name" list to add extra points for class participation to exam grades belonging to students who deserve the extra push. Normally, Packel says, the credit is given to particularly low grades.

No professor is supposed to lower a student's grade, Packel says, without notifying the student, even informally, that the grade will be lowered for poor attendance or poor preparation.

Packel told the committee members at the September meeting that he believes this faculty "notice" policy was voted on as a resolution at a faculty meeting.

The Student Handbook does not mention the anonymous grading system except to say that participation and preparation may be considered by faculty members for grading purposes.

Under the current system, the faculty member is not required to give to the registrar the preliminary grades culled from the anonymous grading of the blue books, or to keep any record of what grades have been changed.

"There is no formal device the faculty has to control its own behavior — except its integrity," Packel said. He told the committee he feared a change in the system might make some

professors less likely to change grades at all — even to raise them for class participation — as they may do now.

"It may make the professors grade really mechanical," Packel said, if the professors would feel called upon to explain a change in the grade between the preliminary anonymous grading and final grading.

"I think the great bulk of students believe nobody messes around with their grades, and the people who do think that people are lowering their grades are going to believe that, no matter what the system," Packel said.

Nevertheless, there are some alternatives to the current system. Three were suggested at the meeting.

Joseph Greene, co-chairperson of the Lawyer's Guild, reported that that group had discussed the system and were prepared to recommend that faculty members not have access to the names of the students until after grades were mailed.

To solve the class participation/attendance/preparation question, the proposal suggests variations in grades be made on a separate sheet of paper directing the registrar to raise the grades of the students listed.

The system would not tell the faculty member what the grade would be, however, and faculty members may be reluctant to raise any grade above a certain level, for example, a C plus or B, on the basis of class participation.

Greene said the Lawyer's Guild was also in favor of a strictly anonymous system that did not take into account class participation/preparation/attendance except as those elements are reflected in the final exam results. The "preliminary grade" given to the "number" would be the final grade matched by the registrar to the student's name.

Professor Dolores Spina, another member of the committee, suggested that the current system be used with one exception: the preliminary grades would have to be turned in to the registrar, who would keep them, before any names were released.

She described the system as "offering a mechanism to back up" the system that is already in use. Having a record of the preliminary grades provides for a certain accountability, according to Spina, but the professor is still free to use class participation and attendance as criteria in determining the final grade.

John Ford, Honor Board chairperson, noted the element which may cause the greatest debate at the October meeting of the committee: "There's a great split between those who don't want to take into account class participation and those who do."

A totally anonymous grading system would not allow for any variation according to classwork. A system that uses students' names and identities, instead of numbers, may result in biased grading, its critics fear.

The committee hopes to be able to form a resolution at the October 9 meeting that will be submitted to the faculty for action at their meetings on November 6 or December 10, with the possibility that any change in the grading procedure will be in effect for this semester.

VLS AWARDS

by Bruce Allan Brinser

Villanova Law School scored a double last year in two inter-scholastic contests. Villanova student-lawyers won prizes in both National Moot Court Competition and the National Trial Competition.

The National Moot Court Competition is sponsored by the Bar Association of New York, Young Lawyers Section. Last year's regional was held in Philadelphia. Teams from the Mid-Atlantic states competed. Villanova's team consisted of Fred J. Lauten, Roger N. Huggins and R. Scott Eichhorn, the Reimel Competition winners in the Spring of 1978. Professor Hyson was faculty advisor. The team, narrowly missing a chance to go on to the Nationals in New York City, won the Edward J. Roda Award. Presented each year by the Pennsylvania Trial Lawyers Association, this award goes to the team which advances furthest in the competition while representing a law school located in the state of Pennsylvania. Plaques and a \$500 prize were awarded at the Pennsylvania Trial Lawyers Convention this summer at Hershey.

The National Trial Competition is sponsored by the Bar Association of Texas, Young Lawyers Section. It is a trial level contest, as opposed to an appellate competition such as Reimels. Tryouts were held by Professors Packel and Manning. After student teams presented both sides of the case, Henry Siedzikowski and Charles Weyl were chosen to represent Villanova. Competing in an expanded Northeast Regional, the team finished third, just missing a trip to Houston for the finals. Again Villanova won an award from the Pennsylvania Trial Lawyers Association for fielding the best team from a Pennsylvania school. The Murray S. Love Award also honored Messrs. Siedzikowski and Weyl with plaques and a \$500 prize.

Research for this year's Reimel Competition is already underway. Last year's winners, Susan Fletcher and Nancy Ezold, joined by Judy Conte, are preparing for their inter-scholastic battles. The National Trial Competition problem should be announced soon. A notice will be posted as soon as information is available.



First year students are finding themselves in close quarters. See story page one.

STUDENT FORUM

Question: What general advice do you have for first year students?



Prof. Robert Barry: Have faith! The game you are being asked to play is the game every law school in the country wants you to play. If there were a better way, someone would do it. We are making good lawyers.



Prof. Gerald Abraham: The tension — don't get caught up in the first year tension and anxiety. It's easy to say, but don't do it.



Prof. William Valente: There's a lot of pressure and tension. The first month is the worst, but everyone feels the panic. Everybody walks around with a smile on their face and a lump in their throat. Realize it's the same for everyone. Stay with it and the lump will go away.



Prof. James Manning: There really is no shortcut to developing the legal skills you need. The way to do it is through trial and error; read and re-read until you understand. We can only direct.

THE EDITORIAL

Changing The Rules Without Notice

The Villanova Law School Honor Board is a student board which hears charges that a student has violated the Code of Conduct and investigates the charges. The board then votes either to exonerate the student or to recommend that the faculty impose sanctions on the offender (the faculty is not bound by the recommended sanctions).

Chapter Four of the Honor Code defines the Honor Board's role this way, "The Honor Board shall have original jurisdiction of all cases pertaining to breach of the Code of Conduct as specified in Chapter Three (of the Code)." The Code of Conduct carries the notation that it was "prepared by the Villanova Law School Honor Board."

During the summer, however, the administration has made a substantive change in the Honor Board's role without bothering to consult the members of the Honor Board or the student population at large. The change was accomplished rather simply.

By the addition of a sentence and a well-placed phrase, in a paragraph which **precedes** the Honor Code, the administration and faculty suddenly "retain" jurisdiction over "all student conduct which fails to meet standards of academic and professional behavior *whether such conduct constitutes a violation of the Honor Code or not.*"

In last year's handbook, the Honor Board had jurisdiction over violations of the Code and the faculty and administration "retain(ed) jurisdiction over all *other* violations." (Emphasis ours).

To make the meaning emphatically clear, the administration has also, with the stroke of a pen, given itself *original* jurisdiction over any violations.

It may well be possible for both the Honor Board and the faculty to exercise original jurisdiction over cases involving possible Code of Conduct violations. But it cannot be denied that the Honor Board's role has been diluted.

Now if the board investigates an accusation and finds the student innocent, the board may find that decision set aside as though it never existed while the faculty makes its own determination.

This can not be squared with the Honor Board's *raison d'être*. The Code itself provides that when a student is exonerated, "a report of any acquittal or dismissal of charges shall *not* be made to the faculty." The Honor Board was created by the faculty, the Code says, to "administer a Code of Conduct." It makes sense. A violation of the Honor Code is an injury to students by students. It is wise and just that it be administered by students.

In any event, to make sure such a change in the Law School's disciplinary procedure without first consulting the students is shocking.

There are at least three constituencies at the Law School — the students, the faculty and the administration — and when a major change in the community's response to a problem is anticipated, all three constituencies should be consulted.

Surely the students should have some voice in a decision which strips the student-populated Honor Board of its authority to investigate and adjudicate all violations of a code which governs student conduct.

ONCE AGAIN, IT IS MY PLEASURE TO WELCOME THE FIRST YEAR CLASS TO LAW SCHOOL.



IN A WORLD SEEMINGLY FULL OF SELFISH MATERIALISM AND GREED, IT IS ALWAYS REFRESHING TO ADDRESS MEN AND WOMEN OF CHARACTER.



MEN AND WOMEN DRAWN TO THE PRACTICE OF LAW BY A STRONG DESIRE TO PROMOTE JUSTICE, EQUALITY, AND FAIR PLAY.



NOT ME, MAN! I'M HERE FOR THE MONEY!



WE WANT BUCKS!

WE WANT BUCKS!
WE WANT BUCKS!
BUCKS!
BUCKS!
BUCKS!



I THINK THIS IS AN EXCELLENT TIME TO DISCUSS THE OVER-ENROLLMENT SITUATION.



A Class Act

It's certainly good to welcome Professor Collins back as a full-time professor. His probing, Socratic classroom technique is one of the highlights of a student's journey through Villanova Law School, a real five-star attraction in the guidebook to student life. Some would say he's a trip-and-a-half all by himself — definitely not to be missed. Professor Collins writing traffic tickets is like Secretariat carrying a Philadelphia traffic cop.

At the same time, it's a shame that Dean O'Brien was not able to expose the first-year class to his inimitable classroom presence. How can a class go through its first year without seeing Dean O'Brien in all the splendor of his impeccably tailored Torts suits?

And it would be nice to see more of Associate Dean Abraham in the classroom.

Law schools traditionally draw their administrative Deans from their teaching faculty, rather than from the outside. It's hard to quarrel with reward for merit, but one still feels a sense of loss when some of the very best classroom teachers are promoted to an administrative post, at the expense of their classroom time.

So it's welcome back, Professor Collins — and hurry back, Dean O'Brien.

Applause, Applause

"Target Date: September 26." The place? Manhattan. With that, the Villanova Law School Placement Office began a concerted drive to expose Villanova law students to another field of potential employers. Seven employers (six law firms and the Federal Bureau of Investigation) had already consented to the date more than two weeks before, and other employers, listed as "interested in resumes" were expected to follow suit.

This fall, the New York City interview is just a small program, but it's a grand idea. New York City boasts an admirable number of attorneys and concerns that need lawyers. Also, the law school draws a large number of students from the New York-New Jersey-Connecticut area who would like to practice in the Big Apple.

Were the students interested? They showed their enthusiasm by flooding the potential employers with resumes.

The Docket is happy to give Placement Director Joan Beck yet another round of applause for this latest program. We know once the employers see the Villanova Law School students, they'll be as happy with the program as *we* are.

J. Willard O'Brien

Dean

Villanova University School of Law
most cordially requests your presence at the
Red Mass

a votive Mass in honor of the Holy Spirit
on Friday evening, the twenty-eighth of September
Nineteen hundred seventy-nine
at seven o'clock
in the Chapel of St. Mary's Hall
Villanova University Campus
Villanova, Pennsylvania

See page five for details.



The late Professor Joseph Wenk
In Memoriam

The Law School community was deeply grieved by the sudden death of Professor Joseph Wenk on May 15.

Professor Wenk, a 1968 graduate of the Law School, has supervised the Villanova Community Legal Assistance Association since its accreditation in 1975. He taught torts, law and poverty, and decedents and trusts.

Before coming back to the Law School to teach in 1973, the professor worked with Philadelphia Community Legal Services. He was a member of the Health and Welfare Law Reform and he worked to improve the state's welfare laws. At CLS, Professor Wenk served as Chief of the Consumer Law Reform.

The Docket joins with the VLS students, faculty and alumni in offering its condolences to Professor Wenk's family and friends.

Kudos Bans

The Docket staff joins the rest of the Law School Community in extending its best wishes to VLS Admissions Director Sandra G. Moore and Daniel P. Mannix V, Esq., who were married on September 8. Congratulations!

Congratulations also to Professor Dellapenna and his wife, Carolyn. The pair were married while the Professor was on sabbatical last year.

Book

Best wishes of another sort are due to Professor Arnold Cohen, whose textbook, *Debtor-Creditor Relations*. Under the Bankruptcy Act of 1978, Cases and Materials, has been published by Bobbs-Merrill Law Publishing. The new book is already in use here at VLS.

Baby

Professor Dolores Spina and her husband, Dr. Joseph Spina, are proud parents of an eight pound, seven ounce baby boy, born September 19 at 1 p.m. in the afternoon (after the morning's Torts class at 10). Congrats!

THE DOCKET

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The Docket Staff wishes to express its appreciation to the administration office for its help in preparing the manuscripts for print.



Second year student Tom Bovenzi accepts his jar of Rokeach Nyafat from Professor J. Edward Collins for having the Best Contracts Exam of the spring semester. The award commemorates that unforgettable Contracts case, Parev Products V.I. Rokeach & Sons.

Photo by Eric Brunning



Professor Peter Goldberger joins the Law School faculty this year and will be supervising the VCLAA program.

Photo by Eric Brunning

New Prof Is Yalie

by David Schrager

Assistant Professor Peter Goldberger, a 1975 graduate of Yale Law School, has been appointed to the faculty to head the Villanova Community Legal Assistance Association clinical program. Assistant Professor Goldberger will also be teaching one of the three sections of first year criminal law this semester.

While at Yale, Goldberger took an active part in a prison legal services clinical program and was a student member of the school's clinical program board of directors. An article he co-authored focusing on the federal parole system secured him a spot on the Yale Law Journal, and later won a faculty award for student writing.

A Haverford College graduate, Goldberger worked as a law clerk for one year following his graduation from law school Federal District Court Judge Edward R. Becker in Philadelphia. For the next two years he was an Assistant Federal Public Defender in Connecticut. He then returned to Philadelphia, where he became an associate with the law firm of Carroll Creamer Carroll & Duffy, specializing in federal criminal defense until his appointment to VLS.

Assistant Professor Goldberger lives in Ardmore with his wife, Anna Durbin, also an attorney, and his dog, Snow. And how does he like life at VLS? "I'm working hard," Goldberger says, "and really enjoying it. I'm very pleased with the students, who seem well-prepared, enthusiastic, and, dare I say it, intelligent."

Collins Steps Down From Dean's Post

One of Villanova Law School's "new" professors must seem very familiar to second and third year students. J. Edward Collins, the erstwhile lovable curmudgeon of an Associate Dean for Administration, is now just as lovable and curmudgeonly as Professor J. Edward Collins.

Professor Collins' first love has always been the classroom. For the last few years he had found his time in the classroom curtailed by the press of his administrative duties and by the many University and Law School committees he has served on. "Fixing" traffic tickets and "private-eyeing" missing school property couldn't compare to the give-and-take of the classroom.

As Associate Dean, Professor Collins taught only six credits last year. This year he will teach thirteen credits. The "traffic court's" loss is clearly the student body's gain.

**The Docket's
Next Deadline Is
October 15.**

(Get In Touch With Us.)



Photo by Eric Brunning

Professor J. Edward Collins has resigned his administrative post for full-time teaching — the reason he joined the VLS faculty in the Spring of 1961.

**Tonight
Tuesday, September 25**

MEET ED RENDELL
*the Philadelphia
District Attorney*

**At an SBA Lecture and Party.
7:30 p.m. in the Student Lounge**

Dean Announces Date For Annual Red Mass

A notice to the students from the
Dean's Office:

"One of our finest traditions has been the annual celebration of the Red Mass during which we ask God's blessing upon the work of the School of Law. The Red Mass, in honor of Saint Ives and Saint Thomas More, Patrons of the Legal Profession, had its origin in France in the thirteenth century. Its first celebration in England was in 1310 during the reign of Edward I at the opening of Michaelmas Term at Westminster Abbey.

Its inauguration in the United States occurred in New York City on October 6, 1928. The Mass derives its name from the color of

the vestments traditionally worn by the celebrant.

The Mass will be held in the Chapel at St. Mary's Hall which is located directly across the street from the Law School. The time and date are 7:00 p.m. Friday, September 28th. The main celebrant will be the Reverend John M. Driscoll, O.S.A., President of Villanova University. Professor J. Edward Collins, a distinguished member of our Law School faculty, will be the main speaker. The title of his address will be "The Practice of Law — A Noble Profession."

Law School graduates, faculty,

Law School and University administrators, Law School Consultants and area federal and state judges have been invited to the Mass and to the reception and dinner which will follow. Law School students are also most cordially invited to attend the Mass and reception and dinner. For those attending the reception and dinner the cost will be \$15 per place. Mrs. O'Donnell will accept reservations through the early part of this week.

The Mass is being said for all the members of our community and all the members of the community are welcome. Please do try to join us.

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STUDENT ORGANIZATIONS BEGIN ACTIVITIES

ABA REPRESENTATIVES ATTEND CONVENTION

by Marie Lihotz

When first offered a week long trip to Dallas, Texas, in mid-August (you know, temperatures of 100 degrees and humidity zooming to around 92 degrees), I hesitated to accept, thinking I had won first prize in a W.C. Field's contest: "second prize, two weeks in Dallas . . ."

My anxiety vanished, however, upon learning that Dallas had been chosen to host the 1979 Annual Meeting of the American Bar Association (August 9-19).

The Texas city brought together thousands of judges, practicing attorneys, professors, and law students from the fifty states, Puerto Rico, and England to participate in the governing body of the legal profession.

For the members of the senior bar, time was spent persuing literature on the latest work-processing systems, debating the merits of the proposed revision of the "Legal Code of Ethics," listening to experts in various legal fields expound on modern problems, or politicking with other lawyers with whom they meet so infrequently.

For myself, and other members of the Law Student Division (LSD), the stay in Dallas was well-structured and purposeful. The LSD, a semi-autonomous branch of the senior bar, meets as a whole once a year and the ensuing schedule is meticulously planned to insure that all business will be accomplished.

As a point of information, the LSD is headed by a Board of Governors and three national officers, and is governed by delegates representing the country's law schools. These delegates comprise the General Assembly of the LSD.

All law schools are divided into particular circuits which are analogous to those within the Federal Court system. Each school is entitled to two votes in assembly matters — one vote to be held by the LSD representative and one vote to be held by the Student Bar Association president. The members of the General Assembly propose recommendations, for which ratification is sought through the aforementioned voting procedure, that, upon approval by the Board of Governors, are sent to the senior bar to be introduced and acted

upon by the senior bar's own General Assembly.

The 1979 LSD General Assembly passed over twenty measures ranging from a recommendation that the ABA support the pending "D.C. Amendment," which gives the District of Columbia the right to vote in federal elections, to a recommendation that the ABA encourage legislation which would secure "freedom of sexual orientation." A matter of greater concern to law students involved the consideration that the ABA repeal the "fifteen hour work rule" which proscribes full-time law students from being employed more than fifteen hours a week during the academic year.

One of the most sensitive problems discussed was the adoption of a "proposal of reaction" on the part of the LSD with regard to the reorganization of the Division as imposed by a recent mandate of the senior bar. LSD members expressed great concern that the plan of reorganization, which reflected a change in the election procedure, as well as in the number and nature of the national LSD officers, evidenced a demise of the Division's autonomy. The message sent the senior bar from the LSD reaffirmed the important role of the Division and emphasized the unequivocal need of the LSD to function independently from the senior bar.

Villanova Law School was ably represented by five delegates holding various positions within the LSD organizational structure and the committees affiliated with the senior bar itself.

Judy Love '81 served as Villanova's LSD representative in the activities of the General Assembly. Alternate representative Dorothy Langton '81 cast the second Villanova vote in those activities in the stead of S.B.A. president Bill Weber. Lisa Obzansky '80 is the Lt. Governor of the Third Circuit, within which Villanova is a member, and functioned in the capacity of a member of the nominations and elections committees. Marie Lihotz '80 participated as the student liaison to the Pennsylvania Bar Association and acted as Villanova's representative to the National Student Bar Association. Rick Widin '80 is the LSD liaison to the ABA section of Real Property, Probate, and Trust Law.



The Garey Hall Rugby team has started its schedule, but is always looking for new players. For information, contact Rich McMonigle or John Gillespie. No experience necessary.

WLC SETS AGENDA

The Women's Law Caucus sees as its purpose to provide a central support group as a basis for discussion, comparison and action in relation to the issues facing women in the law today. To best achieve this, the Caucus is seeking this year to expand its membership to take in many different points of view, and is planning functions which will encourage recognition of these issues. It also seeks to encourage interaction between Caucus members and the outside community, especially their counterparts already in the

The LSD representatives at Villanova hope to host various projects to be instituted at VLS this year, including such programs as client-counseling and legislative drafting. Any interested students who are not yet members of the LSD and who wish to join its ranks are urged to contact any of the above mentioned individuals. Further information concerning the activities of the LSD and the projects it is developing will be available shortly.

legal profession.

The Caucus is very pleased to invite the entire student body to listen to the Honorable A. Leon Higginbotham, highly respected member of the Third Circuit Court of Appeals bench, speak on racism and sexism in the law. Judge Higginbotham will be at the law school on October 22, at 7:30 p.m. in Room 29-30.

In addition, the Caucus is planning an Alumnae Get-Together in late November, to provide insight into what our graduates are experiencing in their various practices.

The Caucus encourages any interested student to attend meetings, or to visit the office (39A, next to Student Services) with questions and/or suggestions.

BALSA AIMS AT BLACK NEEDS

The purpose of BALSA is to articulate and promote the professional needs and goals of Black American Law Students; to foster and encourage professional competence; to focus upon the relationship of the Black Attorney to the American legal structure; to instill in the Black Attorney and Law Student a greater awareness of and commitment to the needs of the Black Community; to influence American law schools,

ATHLETIC COUNCIL

The Athletic Council will be the organizing and governing body for all athletic activities at the Law School. Its responsibilities include the running of all intramural sports leagues, as well as the Villanova Law School Basketball team.

Currently, intramural sports slated for the fall semester are softball and flag football, with basketball being the predominant activity of the spring semester. However, the Council would be willing to sponsor any other sports as well, should any interest be shown. Any suggestions or inquiries can be directed to either of the co-chairmen, Mike Riordan and Greg Stamos.

legal fraternities and associations to use their expertise and prestige to bring about change within the legal system in order to make it responsive to the needs of the Black Community; and to do any and all things necessary and lawful for the accomplishment of these purposes within such limits as are provided by law.

For information, stop in the BALSA office, Room 39A, next to Student Services.

ALUMNI COUNSELING PROGRAM ORGANIZED

During the past summer the VLS Alumni and Placement Offices collaborate on an innovative program designed to pair each student with an alumnus for the purpose of getting "real world" counselling and information in the career planning area.

Law School Alumni Director Chip D'Ambrosio says the response from alumni to an extensive questionnaire has been outstanding, with over 250 graduates already signed up for the program. Alumni have indicated their areas of legal concentration, the number of attorneys in their firms, special interests, and other characteristics. In early November, according to D'Ambrosio, students who have responded with generally similar career and geographic preferences will be paired with alumni.

Only 70 students have signed up

for the alumni counselling program so far. D'Ambrosio urges students, particularly those in their first year, to take advantage of the program. "Most students, D'Ambrosio says, "for a variety of reasons don't realize until third year that this aspect of their legal education was not only necessary but missing. Now everyone has a chance, starting in their first year, to get outside help on the practical aspects of the legal profession and career."

He says students have historically bemoaned the lack of the practical side of a legal education. With the new Alumni Counseling Program, "all we are doing is providing an opportunity to help fill that gap."

Any student interested in signing up can do so simply by stopping by either the Alumni or Placement Office for further information and the forms.



ABA Representatives who attended the convention this summer in Dallas. First row (L. to R.), Marie Lihotz, Judy Love. Second row, Dorothy Langton, Lisa Obzansky, Rick Widin.

Your Fling In Philly

by Kathy Yesenko

For those students who are new to the area and have not yet had a chance to pull away from Prosser or Calamari, there's a whole other world out there waiting to be discovered in Philadelphia. Most of you have probably given little thought to recreational activities at this point, but if you are ready for a break from your studies, here's a few suggestions.

Historic Areas: Philadelphia, as the birthplace of the Declaration of Independence, is rich in history. You can easily spend a day between the roughly square area formed by Sixth and Second, Market and Chestnut Streets, touring such sights as the First Bank of the United States, The Philadelphia Exchange, Carpenters' Hall, the Todd House, the Bishop White House, Franklin Court (the home of Ben Franklin), the Pemberton House (now occupied by the Army-Navy Museum), the Old City Hall, Christ Church, the Graff House (where Thomas Jefferson drafted the Declaration of Independence), and, of course, Independence Hall and the Liberty Bell.

Shops and Restaurants: One of the nicest places to shop and sightsee is the New Market at Head House Square between Second and Pine. Although this area is currently undergoing changes in design, it's still a popular place to spend a Saturday afternoon, or night. The New Market is made up of glass buildings, filled with shops and restaurants with art and food from faraway places. The shops sell items ranging from exquisite dollhouses, to imported

and domestic cheeses. The clothing stores are varied and pretty expensive, but it's fun to browse.

Among the restaurants in the New Market, my favorite is The Rusty Scupper (mostly seafood), and Ristorante Focolare (Italian Cuisine) is a close second. For dessert, the ice cream sundaes at Once Upon A Porch can't be beat.

Another interesting shopping area is the Gallery, at Market and Ninth. This underground mall often features musicians and magic shows. In case you're hungry, the Market East has about 12 reasonable priced take-out restaurants ranging from Greek to French food. And for a little more money, you can have sandwiches and drinks at The Newsstand and just people-watch.

Parks and Museums: A bike ride or drive through Fairmount Park, along the Schuylkill is a good way to spend a Sunday. Usually there are people canoeing down the river, or jogging along its banks. You can't miss the Philadelphia Museum of Art on the Ben Franklin Parkway (admission is free on Sundays until noon). Also worthwhile are the Franklin Institute (for science lovers), the Academy of Fine Arts, and the University of Pennsylvania Museum of Art. Animal lovers will get their fill at the Philadelphia Zoo.

The Ben Franklin Parkway is also host to many Sunday "spectaculars." On "Super Sunday," for example, the street is blocked off for an outdoor food, art, and music festival. Artisans sell their crafts, paintings, posters, plants, and clothes for reasonable prices.

There's also the "Outdoor Restaurant Festival" one Sunday in October. Area restaurants set up outside cafes on the Parkway. Warning: go hungry because there are a lot of tempting and tasty goodies.

Music and Shows: This fall, Philadelphia theatre-goers will be treated to such Broadway hits as "Miss Margarida's Way" at the Walnut, and "Oklahoma!" at the Forest. For concert lovers, the Robin Hood Dell West is an open-air theatre which recently hosted "Chicago" and other pop music groups. The Spectrum has also featured many a rock group.

Dining, Dancing, and Night Life: For salad lovers, the best salad is found at Wildflowers, 516 S. 5th. After salad, you will probably be too full to even eat dinner, but every main dish is absolutely delicious. Don't forget about the restaurants in Chinatown, between Arch and Eleventh. The Imperial Inn is excellent.

Doc Watson's is the place for drinks. Since it's on Eleventh near Chestnut across the street from Jefferson Hospital, it's a favorite of med students. Surprisingly, the Magic Pan, at the Gallery, makes good strawberry daquiris.

As for disco-dancing, it's been rumored that the Library (not the one at Villanova), in Bala Cynwyd Plaza cannot be topped. Doc Watson's also has a dance floor and game room.

There are just some of the things you can do in Philadelphia in your leisure time. I suspect that since you won't have too much free time, you'll probably end up eating a pizza and drinking a beer closer to home at Gullifty's.



Photo by Eric Brunning

Professor Mary Jo Frug has returned to VLS after a one year teaching sabbatical in Massachusetts. This semester Prof. Frug is teaching Administrative Law, Torts, and a seminar on Employment Discrimination.

Higginbotham Notice

The Honorable J. Leon Higginbotham, Third Circuit Judge for the Court of Appeals, will speak at VLS on Oct. 22, 1979 at 8 p.m. in Room 29. The topic of his speech is "Sex, Race, and The American Legal Process." The speech is sponsored by the Women's Law Caucus. Reception to follow.



Photo by Eric Brunning

Also returning is Professor Joseph DellaPenna who spent a year teaching and doing research in Taiwan. Recently wed, Prof. DellaPenna is shown with his new wife, Caroline.

New CLE Program

The Villanova Law School Trial Continuing Legal Education Institute is currently sponsoring a Trial Practice seminar series for practicing attorneys in the greater Philadelphia area. The ten week program is designed to provide instruction in trial technique and strategy and is the first of its kind conducted at VLS, according to Chip D'Ambrosio, Director of the Villanova Law Alumni Association and CLE at the law school.

Nearly 60 attorneys, most from smaller firms, are enrolled in the Saturday morning program, D'Ambrosio says. Professor Leonard Packel led off the series on Saturday, September 8, with an introduction to the principles of direct examination. Also par-

ticipating as instructors are Professors James Manning, Jr., and Dolores Spina, as well as seven other experts in the trial practice field.

Cross and re-direct examination techniques will be taught by M. Melvin Shralow. J. Clayton Undercoffer, III, will lecture on the offering of exhibits and demonstrative evidence, and Herbert F. Kolsby will team with Perry S. Bechtle to discuss the fine points of offering expert testimony. Theodore W. Flowers is slated to instruct on the use of discovery methods and depositions. Opening statements will be covered by Arthur G. Sprecher, and James E. Beasley will lecture on principles and techniques of closing statements.

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AND PILLAGE.



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TERRORISTS, HOSTAGES,
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At The Cinema:

"Breaking Away"- Exhilarating

"Breaking Away"

Directed by Peter Yates

This is one of those "little movies" that is invariably described by the critics as endearing and/or charming. Such adjectives belittle the insight and compassion this film expresses in its evocation of that time-honored theme of a young man attempting to find himself in the world.

Dennis Christopher portrays Dave, a recent high school graduate living in a university town (Bloomington, Illinois). He and his three high school friends, as townspeople, are looked down upon by the college kids who call the locals "cutters", a holdover from a now vanishing time when the chief local industry was stone quarry work.

Dave, a sensitive but high-spirited escapist, cheerfully determines to cast himself in the role of an Italian bicycle racer. He rides through the streets bellowing Italian opera and greeting one and all with a hearty "Ciao", much to the consternation of his used car salesman father (superbly played by Paul Dooley). "Papa", as the exuberant Dave in heavily accented English insists on calling him, is fit to be tied at this invasion of the foreign into his all-American home. He rails against all this "Ity" talk while the mother (Barbara Barrie) suggests patience and understanding.

The situation comes to a hilarious climax when Dooley discovers that his cat has been redubbed Felini. "Your name is Jake and don't forget it", he yells at the cat and then launches into a harangue about how he doesn't

want any more "inis" around here.

All along the way the viewer is treated to countless moments that perfectly and beautifully express the variety of human feeling and reaction. The four young men are as sharply and distinctively defined in their personalities as the huge rocks of the quarry reservoir to which they periodically retreat from the outside world. Their experiences are sometimes funny, sometimes sad, and sometimes that special mixture of both that seems to epitomize the contradictory nature of human life. The viewing of this movie gives that gift to the audience that is so rare in recent cinematic offerings, pleasure that goes beyond the surface and the moment.

Meanwhile, Dave, in the guise of a foreign Exchange Student, is gallantly wooing one of the University co-eds. The situation creates a low point in Dave's outlook on life during which he submerges reality to the point where he becomes embarrassed by the three friends that have been so valuable and important in his life. It is eventually the bike racing which had lead him into his fantasy world that brings about his disillusionment and ultimately results in his ability to proudly and maturely accept himself and his background as worthwhile. The climactic little 500 bicycle race in which Dave and his friends find themselves pitted against the college students who had berated and insulted them must be one of the most exciting and finally exhilarating sporting events ever recorded on film.

Dean O'Brien

(Continued from page 1)

The reason for this is that costs are up and inflation has fueled tuition increases. Higher costs have placed one-third of the nation's small colleges in financial trouble, according to the Committee for the Advancement of Small Colleges and "larger or more prestigious schools feel the student enrollment decline less but still worry about the cost of quality," says Omang.

Viewing the situation at VLS, the Dean notes that while "the institution is a complex mix of faculty, students, graduates, librarians, directors, administrative staff, maintenance workers, housekeepers, and deans, it is also a mix of books, mortar, machinery, forms, and a seemingly endless supply of paper. All are necessary and none is possible without money." Dean O'Brien believes that with adequate financial resources the law school will obtain "a most favorable position as part of an ethical, intellectually stimulating, professionally and socially responsible, ever-improving and financially sound University."

In future articles, Dean O'Brien will discuss the likely effect on the Law School of the decline in birth rates; the population shift away from the east coast; the lessened interest in higher education; the budgetary process; and the effect of the financial interdependence of the Law School with the University. Methods to increase alumni awareness and participation in law school affairs, innovative fund-raising efforts, and student recruitment will also be discussed.

"We can and will deal effectively with the problems the future will surely bring," Dean O'Brien stresses. He says he strongly believes that the Law School possesses the characteristics necessary to provide workable solutions so that "we may be even better tomorrow." Dean O'Brien is confident that the process of sharing his insights and information with the Law School community will produce important advantages, not the least of which is "the probability that one or more of you will share with us ideas of value."

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